

**FILED**  
U. S. DISTRICT COURT  
EASTERN DISTRICT ARKANSAS

SEP 19 2018

IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF ARKANSAS  
LITTLE ROCK DIVISION

JAMES W. MCCORMACK, CLERK  
By: [Signature]  
DEP CLERK

ARTHUR CARSON

PLAINTIFF

VS.

CASE NO. 4:18-cv-692-BSM

ROGER LACY, dba D & B JANITORIAL SERVICES;  
LAIDLAW & LACY, INC.; and  
CORPORATION-SERVICE CO.

DEFENDANTS

This case assigned to District Judge Miller  
and to Magistrate Judge Ray

NOTICE OF REMOVAL

Subject to their express reservation of rights to assert all defenses available to them under Rule 12 of the Federal and/or Arkansas Rules of Civil Procedure, Defendants Roger Lacy d/b/a D & B Janitorial Services and Laidlaw & Lacy, Inc., give this Notice of Removal of an action filed by Plaintiff Arthur Carson in the Circuit Court of Pulaski County, Arkansas, bearing Case No. CV-18-5582. In support of this Notice of Removal, Defendants state the following:

1. Plaintiff filed this lawsuit in the Circuit Court of Pulaski County, Arkansas, on or about August 14, 2018 against Defendants. A copy of the Complaint and Summons is attached herein collectively as Exhibit 1. The action is one of a civil nature in which Plaintiff purports to bring claims under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000 *et seq.* (Title VII), the Fair Credit Reporting Act, 15 U.S.C. §§ 1681 *et seq.* (FCRA), and the Arkansas Civil Rights Act of 1993, Ark. Code Ann. §§ 16–123–101 *et seq.* (ACRA).

2. This Notice of Removal is filed within thirty (30) days after service on Defendants, in accordance with 28 U.S.C. § 1446(b).

3. Defendants remove this action on grounds of federal question jurisdiction pursuant to 28 U.S.C. § 1331. Though it fails to state a claim upon which relief can be granted, Plaintiff's Complaint purports to bring causes of action under federal law—Title VII and the

FCRA. Accordingly, this Court has original jurisdiction over Plaintiff's purported claims. *See* 28 U.S.C. § 1331.

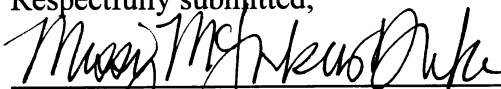
4. Plaintiff's only other potential claim arises under the ACRA. Plaintiff's ACRA claim appears to be identical to and predicated upon the same allegations that support his Title VII claims. Therefore, Plaintiff's state law claim arise out of the same set of operative facts as Plaintiff's federal law claim, making the claims so related that they form part of the same case or controversy. Accordingly, this Court has supplemental jurisdiction over Plaintiff's claim that arises under Arkansas law. 28 U.S.C. § 1367(a).

5. Pursuant to 28 U.S.C. § 1446(b), Separate Defendants have given written notice of the removal of this action to Plaintiff and have filed a copy of this notice with the Clerk of the Court for the Circuit Court of Pulaski County, Arkansas, attached hereto as **Exhibit 2**. Copies of all state court pleadings, process, and orders filed thus far are attached as exhibits to this Notice of Removal, pursuant to 28 U.S.C. § 1446(a).

6. Separate Defendant First Advantage Company, erroneously sued as Corporation Service Co., consents to removal. **Exhibit 3**, FAC's Consent to Removal.

WHEREFORE, Defendants give notice of removal of the above-entitled cause from the state court to this Court.

Respectfully submitted,



Missy McJunkins Duke (#99167)

Abtin Mhdizadegan (#2013136)

**CROSS, GUNTER WITHERSPOON & GALCHUS, P.C.**

500 President Clinton Avenue, Suite 200

Little Rock, Arkansas 72201

Phone: 501-371-9999 / Fax: 501-371-0035

E-mail: mduke@cgwg.com / abtin@cgwg.com

**CERTIFICATE OF SERVICE**

I hereby certify that on this 19th day of September, 2018, I served a copy of the foregoing document upon the following in the manner specified below:


**PLAINTIFF**

Arthur Carson  
10434 W. 36th Street, Apt. 10-B  
Little Rock, AR 72292  
***Via Regular & Certified  
U.S. Mail***

**ATTORNEY FOR FIRST ADVANTAGE CO.**

Jason Spak  
FisherBroyles, LLP  
P.O. Box 5262  
Pittsburgh, PA 15206  
Jason.Spak@fisherbroyles.com

***Via Email***

  
Missy McJunkins Duke

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS  
CIVIL DIVISION

ARTHUR CARSON, PLAINTIFF

V.

CASE NO. \_\_\_\_\_

ROGER LACY, dba, D & B JANITORIAL SERVICES,  
LAIDLAW & LACY, INC., AND CORPORATION-  
SERVICE CO., DEFENDANTS.

COMPLAINT FOR EMPLOYMENT DISCRIMINATION

Comes Now the Plaintiff, Arthur Carson, proceeding Pro se, and Brings this action

Pursuant to the Arkansas Civil Rights Act of 1993, "Title 16, 16-123-107"; accord Title

VII of the Civil Rights Act of 1964, as amended by 42 U.S.C. 2000e; 42 U.S.C. 1981;

Also the Fair Credit Reporting Act, 15 U.S.C. 1681b(2)(A)(ii).

PARTIES:

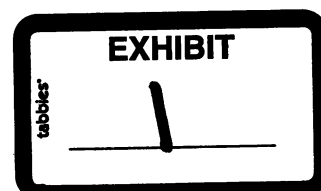
1). ARTHUR CARSON, PLAINTIFF, 2000 Rice Street, Little Rock, Arkansas 72202;

2). Roger Lacy, Registered Agent for D & B Janitorial Services, & Laidlaw & Lacy, Inc.,

DEFENDANTS, -1 Lakewood, North Little Rock, AR 72219.

3). Corporation Service Co., dba, First Advantage Co., 300 Spring Blvd # 900, 300  
Spring St. Little Rock, AR.

(1)



STATEMENT OF THE CLAIMS:

DEFENDANT'S DISCRIMINATORY HIRING POLICY

1). On July 3, 2018, Plaintiff, hereinafter "Carson", spoke with "Anita" the Representative For Roger Lacy or D & B Janitorial Services, whom were Responsible for hiring. Carson Sought a job Cleaning Office Buildings, as a result filled out an Application, which asked The question about past felony convictions, in which Carson answered "Yes". however, Such felony convictions were more than thirty two years (Assault).

Carson has maintained a clear record and conduct, the "Box Question" at this stage Were a prejudicial stigma, that truncated any "Fair Chance" consideration as a job candidate For Carson. Where Anita, as subterfuge, informed Carson as long as there was no conviction For Theft, He would not be disqualified. This was disingenuous, since the slip of Paper Anita later gave Carson with instructions for a little Rock Police Department Background check, stated No Felony Convictions. This Report was done at Carson's expense. On July 5, 2018, Carson returned the Little Rock Police Department's Report that showed NO Prior Record.

On July 5, 2018, without Carson's consent or authorization, the Defendant's conducted A second background check with a private Company, "First Advantage Co". this Company provided inaccurate data i.e., "Alias names as Arthur Ray". only until July 12, 2018, Did Carson discover this second background check, after receipt of an adverse letter.

Yet on July 5, 2018, Anita informed Carson there was only one Building He could work because

Of The admission of a prior felony, yet there were job openings at other Buildings..

2). On July 6, 2018, Carson called Anita, and asked for clarification as to why He could Not work at any other Building that had job openings. Anita hung up the Phone within 34 seconds. The Phone conversation was conducted on Speaker and heard by others, ( Ms. Jewellean Moore).

#### DISCRIMINATORY EFFECTS LIABILITY:

3). Defendant's total ban on Employing Prior felons or permitting a fair opportunity to Work at "Other Buildings" sic], has a more harmful effect for Carson as an African-American Male, who have automatically or categorically been excluded from everything Except Felony Convictions in the United States, where as many as 100 Million Adults in The United States have a Criminal Record of some sort. The United States Prison Population Of 2.2 Million Adults, (Bureau of Justice Statistics, survey of States Criminal History information- Systems. 2012, Jan. 2014). Since 2004, an average of over 650,000 individuals have been Released annually from Federal and State Prisons, (E. Ann Carson, Bureau of Justice Statistics, U.S. Dept. of Justice, Prisoners in 2004, Sept. 2015, at 29, appendix tbls. 1 & 2). In Arkansas, the rate of Incarceration per 100,000 of the Population for "Whites- 478", "African-Americans 1846;" "Hispanics-288", as per the (Sentencing Project, Uneven Justice- State Rates of Incarceration by Race and Ethnicity, By M. Mauer & Ryan S. King, July 2007).

4). The Defendant, Corporation Services Company, conducted a second background investigation without authorization or consent from Carson, the subject of the Report. This clandestine Process was initiated, and filled with inaccurate data, e.g., associating "Arthur Ray " as an Alias of Carson. There exist No legitimate Court Records to corroborate this claim.

On July 14, 2018, Carson emailed First Advantage lodging His complaint, and submitted a Written complaint on July 20, 2018, to No avail.

The Defendants, in concerted action with Defendant Laidlaw's Biased overzealous process Had a disparate impact to Carson, and all African-American Males, which substantially Affected His ability to obtain "Fair Consideration" at Employment, are the proximate Cause of Carson's injuries.

#### DISPROPORTIONALITY:

5). There exist NO relationship between Carson's past 32 Year old Conviction used, and The potential risk in cleaning empty office(s) Building after hours, that may pose a greater Risk than any individual without such a record. The Defendants practice, and policies, Is contrary to proven Research, which lucidly establishes older criminal history over Time the likelihood of a Person committing another crime approximate the risk of Someone who never committed a crime.

The Defendants failed to consider any mitigating factors of rehabilitation, and such policy Has an unjustified Discriminatory adverse effect on African-American Males as Carson,

Seeking employment and whom are disproportionately Represented in the Criminal Justice System, and rather than applying any objective or validated measures, Defendant has Imported the "Racial and Ethnic disparities that exist in the Criminal justice system into the Employment process, whether Defendants intended or not to Discriminate, have done so. (Texas Dept. of Housing & Cmt. Affairs V. Inclusive Cmtys. Project, Inc., 135 S.Ct. 2507- "2015", ).

WHEREFORE, PREMISES CONSIDERED, PLAINTIFF PRAY, That Declaratory and Injunctive Relief be Granted; Compensatory Damages of \$50,000 from Each Defendants; Punitive Damages and Jury Trial.

RESPECTFULLY SUBMITTED, DATED THIS 25th DAY OF July 2018.

Arthur Carson  
Arthur Carson

VERIFICATION:

I, Arthur Carson, swear the foregoing statements of claims are true and correct to the Best of My knowledge under the penalties of Perjury, pursuant to: Ark. Code, Title- 16, 16-2-206.

Executed this 25th day of July, 2018.

Arthur Carson  
Arthur Carson  
2000 Rice Street  
Little Rock AR 72202  
(501-2403437)



**You will also need another form of ID (like your Social S**

**Bring the background check and other form of ID with you**  
If you have any questions, contact us at 800-455-4673

5. Call to our office Monday - Thursday between 1p - 4p. H

5.

**City of Little Rock**

Police Department

700 West Markham  
Little Rock, Arkansas 72201-1329Date: 7-5-18Name: Arthur CarsonDate of Birth: 4-4-54 Race: BL Sex: MDriver's License Number: 932930948

This is to certify we have checked the Criminal/Traffic records files of the Little Rock Police Department and find you have the record(s) listed below:

DATECHARGEDISPOSITION

On basis of information furnished  
**NO CRIMINAL RECORD**  
 found in the Little Rock Police  
 Department Criminal Records Division

Note: Copies of this document and/or alteration to any part will invalidate this record Search.

Criminal record searches include all felony charges. Routine searches do not cover all misdemeanor charges before 1978. Thus a local (City of Little Rock) Record Check only It does not include statewide Criminal/Traffic Records.

Record Search Made By

Records and Support Division/LRPD

X # 2

First Advantage  
P. O. Box 50467  
Indianapolis, IN 46209-1002

CARSON, ARTHUR  
2000 RICE ST  
LITTLE ROCK, AR 72202

07/05/2018

Dear Consumer:

Please be advised that First Advantage Background Services Corp ("First Advantage") is reporting public record information concerning you to:

LAIDLAW INC.  
124 W CAPITOL AVE STE 1410  
LITTLE ROCK, AR 72201-3736

The results of this search, a copy of which is enclosed, are confidential and will not be distributed to any organization other than the one that originally requested it. The results are not an indication of an acceptance or a rejection of your employment or service. A separate letter may be forthcoming from the organization that requested your report to indicate acceptance or rejection.

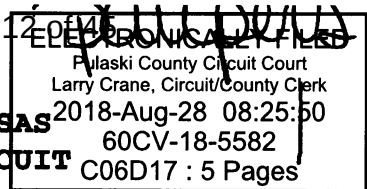
If you have any questions, please call our consumer disclosure center at:  
1-800-845-6004

Sincerely,

First Advantage

X # 3



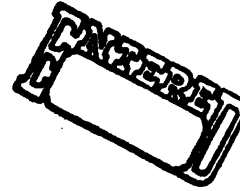


**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS**  
**HON. MACKIE M. PIERCE - 17TH DIVISION 6TH CIRCUIT**

ARTHUR CARSON V ROGER LACY ET AL

60CV-18-5582

**SUMMONS**



RECEIVED  
PCSO/JUDICIAL

2018 AUG 20 A 8:22

**THE STATE OF ARKANSAS TO DEFENDANT:**

CORPORATION SERVICE CO *1st Advantage Co*  
~~UNKNOWN~~  
~~UNKNOWN, IN 00000~~ *300 Spring Blvd Ste 900*  
*LC, AR*

A lawsuit has been filed against you. The relief demanded is stated in the attached complaint. Within 30 days after service of this summons on you (not counting the day you received it) - or 60 days if you are incarcerated in any jail, penitentiary, or other correctional facility in Arkansas - you must file with the clerk of this court a written answer to the complaint or a motion under Rule 12 of the Arkansas Rules of Civil Procedure.

The answer or motion must also be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond within the applicable time period, judgment by default may be entered against you for the relief demanded in the complaint.

Additional notices:

CLERK OF COURT

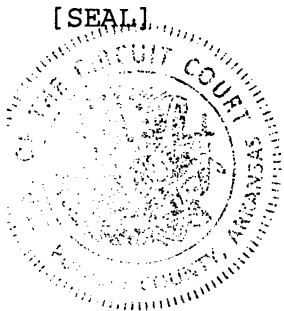
Address of Clerk's Office

LARRY CRANE, CIRCUIT CLERK  
CIRCUIT COURT OF PULASKI COUNTY  
401 W MARKHAM  
LITTLE ROCK, AR 72201

By: *Crystal Hill*, DC  
Crystal S. Hill, Pulaski County  
Clerk - Central Rec

Date: August 14, 2018

[SEAL]



**No. 60CV-18-5582 This summons is for CORPORATION SERVICE CO (name of Defendant).**

**PROOF OF SERVICE**

☐ I personally delivered the summons and complaint to the individual at \_\_\_\_\_[place] on \_\_\_\_\_[date]; or

☐ I left the summons and complaint in the proximity of the individual by \_\_\_\_\_ after he/she refused to receive it when I offered it to him/her; or

☐ I left the summons and complaint at the individual's dwelling house or usual place of abode at \_\_\_\_\_[address] with \_\_\_\_\_[name], a person at least 14 years of age who resides there, on \_\_\_\_\_[date]; or

☒ I delivered the summons and complaint to 1ST ADVANTAGE CO. [name of individual], an agent authorized by appointment or by law to receive service of summons on behalf of CORPORATION SERVICE CO [name of defendant] on 8-24-18 [date]; or

☐ I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I served the summons and complaint on the defendant by certified mail, return receipt requested, restricted delivery, as shown by the attached signed return receipt.

☐ I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I mailed a copy of the summons and complaint by first-class mail to the defendant together with two copies of a notice and acknowledgment and received the attached notice and acknowledgment form within twenty days after the date of mailing.

☐ Other [specify]: \_\_\_\_\_

☐ I was unable to execute service because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

My fee is \$ \_\_\_\_.

**DOC HOLLADAY, SHERIFF**

BY [Signature]  
8-24-18

**To be completed if service is by a sheriff or deputy sheriff:**

Date: \_\_\_\_\_ SHERIFF OF \_\_\_\_\_ COUNTY, ARKANSAS

By: \_\_\_\_\_  
[Signature of server]

\_\_\_\_\_  
[Printed name, title, and badge number]

**To be completed if service is by a person other than a sheriff or deputy sheriff:**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
[Signature of server]

\_\_\_\_\_  
[Printed name]

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Subscribed and sworn to before me this date: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

Additional information regarding service or attempted service:

\_\_\_\_\_  
\_\_\_\_\_

Return filed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

LARRY CRANE, CIRCUIT CLERK

By: \_\_\_\_\_ D.C.  
Crystal S. Hill, Pulaski County Clerk -  
Central Rec

ELECTRONICALLY FILED  
Pulaski County Circuit Court  
Larry Crane, Circuit/County Clerk  
2018-Aug-14 13:57:11  
60CV-18-5582  
C06D17 : 2 Pages

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY, ARKANSAS

IN RE PETITION OF \_\_\_\_\_  
TO PROCEED IN FORMA PAUPERIS

CASE NO. \_\_\_\_\_

**ORDER GRANTING LEAVE TO PROCEED IN FORMA PAUPERIS**

On this day comes on to be heard the petition of \_\_\_\_\_, that he/she be permitted to prosecute the above action *In Forma Pauperis*. The Court being satisfied of the truth of the facts alleged and good cause appearing thereto, IT IS HEREBY ORDERED:

1. That Plaintiff, \_\_\_\_\_, be authorized and permitted to proceed in the above-captioned cause, *In Forma Pauperis*.
2. That the Clerk of the Court shall receive and file any necessary forms or pleadings incident to petitioner's action without requiring the payment of fees or costs.
3. That the sheriffs of the counties of the State of Arkansas shall serve writs or processes incident to petitioner's action without requiring the payment of fees or costs.

IT IS SO ORDERED.

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Date



Arkansas Judiciary

**Case Title:** ARTHUR CARSON V ROGER LACY ET AL

**Case Number:** 60CV-18-5582

**Type:** ORDER PROCEED IN FORMA PAUPER

So Ordered

A handwritten signature in black ink, reading "Mackie Pierce".

Honorable Mackie Pierce



ELECTRONICALLY FILED  
Pulaski County Circuit Court  
Larry Crane, Circuit/County Clerk  
2018-Aug-30 08:25:13  
60CV-18-5582  
C06D17 : 5 Pages

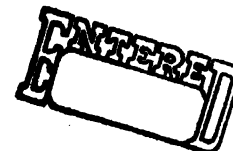
**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS**  
**HON. MACKIE M. PIERCE - 17TH DIVISION 6TH CIRCUIT**

ARTHUR CARSON V ROGER LACY ET AL

60CV-18-5582

**SUMMONS**

RECEIVED  
PCSO/JUDICIAL  
2018 AUG 20 A 8:22



**THE STATE OF ARKANSAS TO DEFENDANT:**

LAIDLAW & LACY INC  
UNKNOWN  
UNKNOWN, UN 00000

*Roger Lacy  
1 Lakeview NLR*

A lawsuit has been filed against you. The relief demanded is stated in the attached complaint. Within 30 days after service of this summons on you (not counting the day you received it) - or 60 days if you are incarcerated in any jail, penitentiary, or other correctional facility in Arkansas - you must file with the clerk of this court a written answer to the complaint or a motion under Rule 12 of the Arkansas Rules of Civil Procedure.

The answer or motion must also be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond within the applicable time period, judgment by default may be entered against you for the relief demanded in the complaint.

Additional notices:

CLERK OF COURT

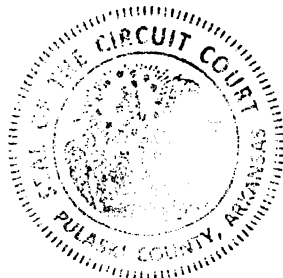
Address of Clerk's Office

LARRY CRANE, CIRCUIT CLERK  
CIRCUIT COURT OF PULASKI COUNTY  
401 W MARKHAM  
LITTLE ROCK, AR 72201

By: Crystal Hill, DC  
Crystal S. Hill, Pulaski County  
Clerk - Central Rec

Date: August 14, 2018

[SEAL]



No. 60CV-18-5582 This summons is for LIDLAW & LACY INC (name of Defendant).

**PROOF OF SERVICE**

☒ I personally delivered the summons and complaint to the individual at 1 Lakewood Drive, Nk [place] on 8-24-18 [date]; or

☐ I left the summons and complaint in the proximity of the individual by \_\_\_\_\_ after he/she refused to receive it when I offered it to him/her; or

☐ I left the summons and complaint at the individual's dwelling house or usual place of abode at \_\_\_\_\_ [address] with \_\_\_\_\_ [name], a person at least 14 years of age who resides there, on \_\_\_\_\_ [date]; or

☐ I delivered the summons and complaint to \_\_\_\_\_ [name of individual], an agent authorized by appointment or by law to receive service of summons on behalf of \_\_\_\_\_ [name of defendant] on \_\_\_\_\_ [date]; or

☐ I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I served the summons and complaint on the defendant by certified mail, return receipt requested, restricted delivery, as shown by the attached signed return receipt.

☐ I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I mailed a copy of the summons and complaint by first-class mail to the defendant together with two copies of a notice and acknowledgment and received the attached notice and acknowledgment form within twenty days after the date of mailing.

☐ Other [specify]: \_\_\_\_\_

☐ I was unable to execute service because:

\_\_\_\_\_

\_\_\_\_\_

My fee is \$ \_\_\_\_.

To be completed if service is by a sheriff or deputy sheriff:

Date: 8-29-18 SHERIFF OF PULASKI COUNTY, ARKANSAS

DOC HOLLADAY, SHERIFF

By: [Signature]  
[Signature of server]

BY [Signature]

Deputy BRANDON 1754  
[Printed name, title, and badge number]

SM BRANDON 1754

To be completed if service is by a person other than a sheriff or deputy sheriff:

Date: \_\_\_\_\_

By: \_\_\_\_\_  
[Signature of server]

\_\_\_\_\_  
[Printed name]

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Subscribed and sworn to before me this date: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

Additional information regarding service or attempted service:

\_\_\_\_\_  
\_\_\_\_\_

Return filed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

LARRY CRANE, CIRCUIT CLERK

By: \_\_\_\_\_ D.C.  
Crystal S. Hill, Pulaski County Clerk -  
Central Rec

ELECTRONICALLY FILED  
Pulaski County Circuit Court  
Larry Crane, Circuit/County Clerk  
2018-Aug-14 13:57:11  
60CV-18-5582  
C06D17 : 2 Pages

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY, ARKANSAS

IN RE PETITION OF \_\_\_\_\_  
TO PROCEED IN FORMA PAUPERIS

CASE NO. \_\_\_\_\_

**ORDER GRANTING LEAVE TO PROCEED IN FORMA PAUPERIS**

On this day comes on to be heard the petition of \_\_\_\_\_, that he/she  
be permitted to prosecute the above action *In Forma Pauperis*. The Court being satisfied of the  
truth of the facts alleged and good cause appearing thereto, IT IS HEREBY ORDERED:

1. That Plaintiff, \_\_\_\_\_, be authorized and permitted to proceed  
in the above-captioned cause, *In Forma Pauperis*.
2. That the Clerk of the Court shall receive and file any necessary forms or pleadings  
incident to petitioner's action without requiring the payment of fees or costs.
3. That the sheriffs of the counties of the State of Arkansas shall serve writs or  
processes incident to petitioner's action without requiring the payment of fees or costs.

IT IS SO ORDERED.

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Date



Arkansas Judiciary

**Case Title:** ARTHUR CARSON V ROGER LACY ET AL  
**Case Number:** 60CV-18-5582  
**Type:** ORDER PROCEED IN FORMA PAUPER

So Ordered

A handwritten signature in black ink, reading "Mackie Pierce".

Honorable Mackie Pierce

ELECTRONICALLY FILED  
Pulaski County Circuit Court  
Larry Crane, Circuit/County Clerk  
2018-Sep-19 11:13:21  
60CV-18-5582  
C06D17 : 2 Pages

**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS  
SEVENTEENTH DIVISION**

**ARTHUR CARSON**

**PLAINTIFF**

**VS.**

**CASE NO. 60CV-18-5582**

**ROGER LACY, dba D & B JANITORIAL SERVICES;  
LAIDLAW & LACY, INC.; and  
CORPORATION-SERVICE CO.**

**DEFENDANTS**

**NOTICE OF FILING NOTICE OF REMOVAL**

PLEASE TAKE NOTICE that Defendants D&B Janitorial Services, Inc., erroneously sued as Roger Lacy d/b/a D & B Janitorial Services, and Laidlaw, Inc., erroneously sued as Laidlaw & Lacy, Inc., have filed a Notice of Removal of this action pursuant to 28 U.S.C. § 1331 in the United States District Court for the Eastern District of Arkansas, Little Rock Division, subject to their express reservation of rights to assert all defenses available to them under Rule 12 of the Federal and/or Arkansas Rules of Civil Procedure. Pursuant to 28 U.S.C. § 1446(d), “the State Court shall proceed no further unless and until the case is remanded.” A copy of the Notice of Removal, to which the only remaining Defendant in this action has consented, is attached and filed herewith.

Respectfully submitted,

/s/ Abtin Mehdizadegan

Missy McJunkins Duke (#99167)

Abtin Mehdizadegan (#2013136)

**CROSS, GUNTER WITHERSPOON & GALCHUS, P.C.**

500 President Clinton Avenue, Suite 200

Little Rock, Arkansas 72201

Phone: 501-371-9999 / Fax: 501-371-0035

E-mail: mduke@cgwg.com / abtin@cgwg.com



**CERTIFICATE OF SERVICE**

I hereby certify that on this 19th day of September, 2018, I served a copy of the foregoing document upon the following in the manner specified below:

**PLAINTIFF**

Arthur Carson  
10434 W. 36th Street, Apt. 10-B  
Little Rock, AR 72204  
***Via Regular and Certified  
U.S. Mail***

**ATTORNEY FOR FIRST ADVANTAGE CO.**

Jason Spak  
FisherBroyles, LLP  
P.O. Box 5262  
Pittsburgh, PA 15206  
Jason.Spak@fisherbroyles.com  
***Via Email***

/s/ Abtin Mehdizadegan

Abtin Mehdizadegan

ELECTRONICALLY FILED  
Pulaski County Circuit Court  
Larry Crane, Circuit/County Clerk  
2018-Aug-14 16:29:20  
60CV-18-5582  
C06D17 : 8 Pages

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS  
CIVIL DIVISION

ARTHUR CARSON, PLAINTIFF

V.

CASE NO. \_\_\_\_\_

ROGER LACY, dba, D & B JANITORIAL SERVICES,  
LAIDLAW & LACY, INC., AND CORPORATION-  
SERVICE CO., DEFENDANTS.

COMPLAINT FOR EMPLOYMENT DISCRIMINATION

Comes Now the Plaintiff, Arthur Carson, proceeding Pro se, and Brings this action

Pursuant to the Arkansas Civil Rights Act of 1993, "Title 16, 16-123-107"; accord Title

VII of the Civil Rights Act of 1964, as amended by 42 U.S.C. 2000e; 42 U.S.C. 1981;

Also the Fair Credit Reporting Act, 15 U.S.C. 1681b(2)(A)(ii).

PARTIES:

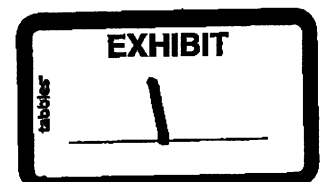
1). ARTHUR CARSON, PLAINTIFF, 2000 Rice Street, Little Rock, Arkansas 72202;

2). Roger Lacy, Registered Agent for D & B Janitorial Services, & Laidlaw & Lacy, Inc.,

DEFENDANTS, -1 Lakewood, North Little Rock, AR 72219.

3). Corporation Service Co., dba, First Advantage Co., 300 Spring Blvd # 900, 300  
Spring St. Little Rock, AR.

(1)





STATEMENT OF THE CLAIMS:

DEFENDANT'S DISCRIMINATORY HIRING POLICY

1). On July 3, 2018, Plaintiff, hereinafter "Carson", spoke with "Anita" the Representative For Roger Lacy or D & B Janitorial Services, whom were Responsible for hiring. Carson Sought a job Cleaning Office Buildings, as a result filled out an Application, which asked The question about past felony convictions, in which Carson answered "Yes". however, Such felony convictions were more than thirty two years (Assault).

Carson has maintained a clear record and conduct, the "Box Question" at this stage Were a prejudicial stigma, that truncated any "Fair Chance" consideration as a job candidate For Carson. Where Anita, as subterfuge, informed Carson as long as there was no conviction For Theft, He would not be disqualified. This was disingenuous, since the slip of Paper Anita later gave Carson with instructions for a little Rock Police Department Background check, stated No Felony Convictions. This Report was done at Carson's expense. On July 5, 2018, Carson returned the Little Rock Police Department's Report that showed NO Prior Record.

On July 5, 2018, without Carson's consent or authorization, the Defendant's conducted A second background check with a private Company, "First Advantage Co". this Company provided inaccurate data i.e., "Alias names as Arthur Ray". only until July 12, 2018, Did Carson discover this second background check, after receipt of an adverse letter.

Yet on July 5, 2018, Anita informed Carson there was only one Building He could work because

Of The admission of a prior felony, yet there were job openings at other Buildings..

2). On July 6, 2018, Carson called Anita, and asked for clarification as to why He could Not work at any other Building that had job openings. Anita hung up the Phone within 34 seconds. The Phone conversation was conducted on Speaker and heard by others, ( Ms. Jewellean Moore).

#### DISCRIMINATORY EFFECTS LIABILITY:

3). Defendant's total ban on Employing Prior felons or permitting a fair opportunity to Work at "Other Buildings" sic], has a more harmful effect for Carson as an African-American Male, who have automatically or categorically been excluded from everything Except Felony Convictions in the United States, where as many as 100 Million Adults in The United States have a Criminal Record of some sort. The United States Prison Population Of 2.2 Million Adults, (Bureau of Justice Statistics, survey of States Criminal History information- Systems. 2012, Jan. 2014). Since 2004, an average of over 650,000 individuals have been Released annually from Federal and State Prisons, (E. Ann Carson, Bureau of Justice Statistics, U.S. Dept. of Justice, Prisoners in 2004, Sept. 2015, at 29, appendix tbls. 1 & 2). In Arkansas, the rate of Incarceration per 100,000 of the Population for "Whites- 478", "African-Americans 1846;" "Hispanics-288", as per the (Sentencing Project, Uneven Justice- State Rates of Incarceration by Race and Ethnicity, By M. Mauer & Ryan S. King, July 2007).

4). The Defendant, Corporation Services Company, conducted a second background investigation without authorization or consent from Carson, the subject of the Report. This clandestine Process was initiated, and filled with inaccurate data, e.g., associating "Arthur Ray " as an Alias of Carson. There exist No legitimate Court Records to corroborate this claim.

On July 14, 2018, Carson emailed First Advantage lodging His complaint, and submitted a Written complaint on July 20, 2018, to No avail.

The Defendants, in concerted action with Defendant Laidlaw's Biased overzealous process Had a disparate impact to Carson, and all African-American Males, which substantially Affected His ability to obtain "Fair Consideration" at Employment, are the proximate Cause of Carson's injuries.

#### DISPROPORTIONALITY:

5). There exist NO relationship between Carson's past 32 Year old Conviction used, and The potential risk in cleaning empty office(s) Building after hours, that may pose a greater Risk than any individual without such a record. The Defendants practice, and policies, Is contrary to proven Research, which lucidly establishes older criminal history over Time the likelihood of a Person committing another crime approximate the risk of Someone who never committed a crime.

The Defendants failed to consider any mitigating factors of rehabilitation, and such policy Has an unjustified Discriminatory adverse effect on African-American Males as Carson,

Seeking employment and whom are disproportionately Represented in the Criminal Justice System, and rather than applying any objective or validated measures, Defendant has Imported the "Racial and Ethnic disparities that exist in the Criminal Justice system into the Employment process, whether Defendants intended or not to Discriminate, have done so. (Texas Dept. of Housing & Cmt. Affairs V. Inclusive Cmtys. Project, Inc., 135 S.Ct. 2507-"2015", ).

WHEREFORE, PREMISES CONSIDERED, PLAINTIFF PRAY, That Declaratory and Injunctive Relief be Granted; Compensatory Damages of \$50,000 from Each Defendants; Punitive Damages and Jury Trial.

RESPECTFULLY SUBMITTED, DATED THIS 25th DAY OF July 2018.

Arthur Carson  
Arthur Carson

VERIFICATION:

I, Arthur Carson, swear the foregoing statements of claims are true and correct to the Best of My knowledge under the penalties of Perjury, pursuant to: Ark. Code, Title-16, 16-2-206.

Executed this 25th day of July, 2018.

Arthur Carson  
Arthur Carson  
2000 Rice Street  
Little Rock AR 72202  
(501-2403437)

1 # X

To be considered for a position with our company, you  
department. The background check should cost you and need to get a background check from the local police  
der, one who has drugs, theft or a felony on their background \$5.00. Per our company policy, we cannot hire  
any department at 700 W. Markham. If you live in North Lund. If you live in Little Rock, go to the Little Rock Police  
Department at 200 W. Pershing. ttle Rock, go to the North Little Rock Police Department

You will also need another form of ID (like your Social S  
ecurity Card or Birth Certificate).

Bring the background check and other form of ID with  
you have any questions, contact Anita at (501) 376-2856. Open Office: Monday - Thursday between 12-4p. H

5.



City of Little Rock

Police Department

700 West Markham  
Little Rock, Arkansas 72201-1329Date: 7-5-18Name: Arthur CarsonDate of Birth: 4-4-54 Race: BL Sex: MDriver's License Number: 932930948

This is to certify we have checked the Criminal/Traffic records files of the Little Rock Police Department and find you have the record(s) listed below:

DATECHARGEDISPOSITION

On basis of information furnished  
**NO CRIMINAL RECORD**  
 found in the Little Rock Police  
 Department Criminal Records Division

Note: Copies of this document and/or alteration to any part will invalidate this record Search.

Criminal record searches include all felony charges. Routine searches do not cover all misdemeanor charges before 1978. This a local (City of Little Rock) Record Check only. It does not include statewide Criminal/Traffic Records.

Record Search Made By

Records and Support Division/LRPD

X # 2

First Advantage  
P. O. Box 50467  
Indianapolis, IN 46209-1002

CARSON, ARTHUR  
2000 RICE ST  
LITTLE ROCK, AR 72202

07/05/2018

Dear Consumer:

Please be advised that First Advantage Background Services Corp ("First Advantage") is reporting public record information concerning you to:

LAIDLAW INC.  
124 W CAPITOL AVE STE 1410  
LITTLE ROCK, AR 72201-3736

The results of this search, a copy of which is enclosed, are confidential and will not be distributed to any organization other than the one that originally requested it. The results are not an indication of an acceptance or a rejection of your employment or service. A separate letter may be forthcoming from the organization that requested your report to indicate acceptance or rejection.

If you have any questions, please call our consumer disclosure center at:  
1-800-845-6004

Sincerely,

First Advantage

X # 3

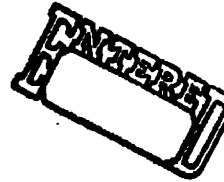
IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS  
HON. MACKIE M. PIERCE - 17TH DIVISION 6TH CIRCUIT

ELECTRONICALLY FILED  
Pulaski County Circuit Court  
Larry Crane, Circuit/County Clerk  
2018-Aug-28 08:25:50  
60CV-18-5582  
C06D17 : 5 Pages

ARTHUR CARSON V ROGER LACY ET AL

60CV-18-5582

SUMMONS



RECEIVED  
PCSO/JUDICIAL

2018 AUG 20 A 8:22

THE STATE OF ARKANSAS TO DEFENDANT:

CORPORATION SERVICE CO  
~~UNKNOWN~~  
~~UNKNOWN~~ ITN 00000  
1st Advantage Co  
300 Spring Blvd Ste 900  
LC, AR

A lawsuit has been filed against you. The relief demanded is stated in the attached complaint. Within 30 days after service of this summons on you (not counting the day you received it) - or 60 days if you are incarcerated in any jail, penitentiary, or other correctional facility in Arkansas - you must file with the clerk of this court a written answer to the complaint or a motion under Rule 12 of the Arkansas Rules of Civil Procedure.

The answer or motion must also be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond within the applicable time period, judgment by default may be entered against you for the relief demanded in the complaint.

Additional notices:

CLERK OF COURT

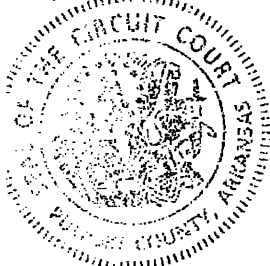
Address of Clerk's Office

LARRY CRANE, CIRCUIT CLERK  
CIRCUIT COURT OF PULASKI COUNTY  
401 W MARKHAM  
LITTLE ROCK, AR 72201

By: Crystal Hill, DC  
Crystal S. Hill, Pulaski County  
Clerk - Central Rec

Date: August 14, 2018

[SEAL]





No. 60CV-18-5582 This summons is for CORPORATION SERVICE CO (name of Defendant).

**PROOF OF SERVICE**

☐ I personally delivered the summons and complaint to the individual at \_\_\_\_\_ [place] on \_\_\_\_\_ [date]; or

☐ I left the summons and complaint in the proximity of the individual by \_\_\_\_\_ after he/she refused to receive it when I offered it to him/her; or

☐ I left the summons and complaint at the individual's dwelling house or usual place of abode at \_\_\_\_\_ [address] with \_\_\_\_\_ [name], a person at least 14 years of age who resides there, on \_\_\_\_\_ [date]; or

☒ I delivered the summons and complaint to 1ST ADVANTAGE CO. [name of individual], an agent authorized by appointment or by law to receive service of summons on behalf of CORPORATION SERVICE CO [name of defendant] on 8-24-18 [date]; or

☐ I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I served the summons and complaint on the defendant by certified mail, return receipt requested, restricted delivery, as shown by the attached signed return receipt.

☐ I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I mailed a copy of the summons and complaint by first-class mail to the defendant together with two copies of a notice and acknowledgment and received the attached notice and acknowledgment form within twenty days after the date of mailing.

☐ Other [specify]: \_\_\_\_\_

☐ I was unable to execute service because: \_\_\_\_\_

My fee is \$ \_\_\_\_.

**DOC HOLLADAY, SHERIFF**

BY [Signature]  
8-24-18

**To be completed if service is by a sheriff or deputy sheriff:**

Date: \_\_\_\_\_ SHERIFF OF \_\_\_\_\_ COUNTY, ARKANSAS

By: \_\_\_\_\_  
[Signature of server]

\_\_\_\_\_  
[Printed name, title, and badge number]

**To be completed if service is by a person other than a sheriff or deputy sheriff:**

Date: \_\_\_\_\_

By: \_\_\_\_\_  
[Signature of server]

\_\_\_\_\_  
[Printed name]

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Subscribed and sworn to before me this date: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

Additional information regarding service or attempted service:  
\_\_\_\_\_  
\_\_\_\_\_

Return filed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

LARRY CRANE, CIRCUIT CLERK

By: \_\_\_\_\_ D.C.  
Crystal S. Hill, Pulaski County Clerk -  
Central Rec

ELECTRONICALLY FILED  
Pulaski County Circuit Court  
Larry Crane, Circuit/County Clerk  
2018-Aug-14 13:57:11  
60CV-18-5582  
C06D17 : 2 Pages

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY, ARKANSAS

IN RE PETITION OF \_\_\_\_\_  
TO PROCEED IN FORMA PAUPERIS

CASE NO. \_\_\_\_\_

**ORDER GRANTING LEAVE TO PROCEED IN FORMA PAUPERIS**

On this day comes on to be heard the petition of \_\_\_\_\_, that he/she  
be permitted to prosecute the above action *In Forma Pauperis*. The Court being satisfied of the  
truth of the facts alleged and good cause appearing thereto, IT IS HEREBY ORDERED:

1. That Plaintiff, \_\_\_\_\_, be authorized and permitted to proceed  
in the above-captioned cause, *In Forma Pauperis*.
2. That the Clerk of the Court shall receive and file any necessary forms or pleadings  
incident to petitioner's action without requiring the payment of fees or costs.
3. That the sheriffs of the counties of the State of Arkansas shall serve writs or  
processes incident to petitioner's action without requiring the payment of fees or costs.

IT IS SO ORDERED.

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Date



Arkansas Judiciary

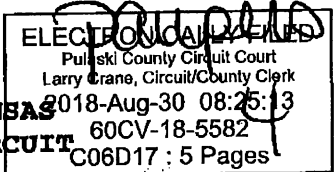
**Case Title:** ARTHUR CARSON V ROGER LACY ET AL  
**Case Number:** 60CV-18-5582  
**Type:** ORDER PROCEED IN FORMA PAUPER

So Ordered

A handwritten signature in black ink, reading 'Mackie Pierce'. The signature is written in a cursive, flowing style.

Honorable Mackie Pierce

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS  
HON. MACKIE M. PIERCE - 17TH DIVISION 6TH CIRCUIT



ARTHUR CARSON V ROGER LACY ET AL

60CV-18-5582

**SUMMONS**

RECEIVED  
PCSO/JUDICIAL  
2018 AUG 20 A 8:22

**THE STATE OF ARKANSAS TO DEFENDANT:**

LAIDLAW & LACY INC -  
UNKNOWN  
UNKNOWN, UN 00000

*Roger Lacy  
Hawwood NLR*



A lawsuit has been filed against you. The relief demanded is stated in the attached complaint. Within 30 days after service of this summons on you (not counting the day you received it) - or 60 days if you are incarcerated in any jail, penitentiary, or other correctional facility in Arkansas - you must file with the clerk of this court a written answer to the complaint or a motion under Rule 12 of the Arkansas Rules of Civil Procedure.

The answer or motion must also be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond within the applicable time period, judgment by default may be entered against you for the relief demanded in the complaint.

Additional notices:

CLERK OF COURT

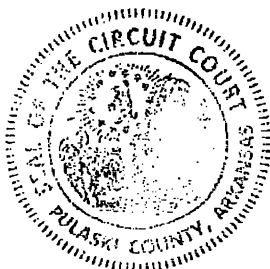
Address of Clerk's Office

LARRY CRANE, CIRCUIT CLERK  
CIRCUIT COURT OF PULASKI COUNTY  
401 W MARKHAM  
LITTLE ROCK, AR 72201

By: Crystal Hill, DC  
Crystal S. Hill, Pulaski County  
Clerk - Central Rec

Date: August 14, 2018

[SEAL]



No. 60CV-18-5582 This summons is for LIDLAW & LACY INC (name of Defendant).

**PROOF OF SERVICE**

☒ I personally delivered the summons and complaint to the individual at 1 Lakewood Drive, MA [place] on 8-24-18 [date]; or

☐ I left the summons and complaint in the proximity of the individual by \_\_\_\_\_ after he/she refused to receive it when I offered it to him/her; or

☐ I left the summons and complaint at the individual's dwelling house or usual place of abode at \_\_\_\_\_ [address] with \_\_\_\_\_ [name], a person at least 14 years of age who resides there, on \_\_\_\_\_ [date]; or

☐ I delivered the summons and complaint to \_\_\_\_\_ [name of individual], an agent authorized by appointment or by law to receive service of summons on behalf of \_\_\_\_\_ [name of defendant] on \_\_\_\_\_ [date]; or

☐ I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I served the summons and complaint on the defendant by certified mail, return receipt requested, restricted delivery, as shown by the attached signed return receipt.

☐ I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I mailed a copy of the summons and complaint by first-class mail to the defendant together with two copies of a notice and acknowledgment and received the attached notice and acknowledgment form within twenty days after the date of mailing.

☐ Other [specify]: \_\_\_\_\_

☐ I was unable to execute service because:

\_\_\_\_\_

\_\_\_\_\_

My fee is \$ \_\_\_\_.

To be completed if service is by a sheriff or deputy sheriff:

Date: 8-24-18 SHERIFF OF PULASKI COUNTY, ARKANSAS

DOC HOLLADAY, SHERIFF

By: [Signature] 1754  
[Signature of server]

BY [Signature]

Deputy BRANDON 1754  
[Printed name, title, and badge number]

Deputy BRANDON 1754

To be completed if service is by a person other than a sheriff or deputy sheriff:

Date: \_\_\_\_\_

By: \_\_\_\_\_  
[Signature of server]

\_\_\_\_\_  
[Printed name]

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Subscribed and sworn to before me this date: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

Additional information regarding service or attempted service:

\_\_\_\_\_  
\_\_\_\_\_

Return filed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

LARRY CRANE, CIRCUIT CLERK

By: \_\_\_\_\_ D.C.  
Crystal S. Hill, Pulaski County Clerk -  
Central Rec

ELECTRONICALLY FILED  
Pulaski County Circuit Court  
Larry Crane, Circuit/County Clerk  
2018-Aug-14 13:57:11  
60CV-18-5582  
C06D17 : 2 Pages

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY, ARKANSAS

IN RE PETITION OF \_\_\_\_\_  
TO PROCEED IN FORMA PAUPERIS

CASE NO. \_\_\_\_\_

**ORDER GRANTING LEAVE TO PROCEED IN FORMA PAUPERIS**

On this day comes on to be heard the petition of \_\_\_\_\_, that he/she  
be permitted to prosecute the above action *In Forma Pauperis*. The Court being satisfied of the  
truth of the facts alleged and good cause appearing thereto, IT IS HEREBY ORDERED:

1. That Plaintiff, \_\_\_\_\_, be authorized and permitted to proceed  
in the above-captioned cause, *In Forma Pauperis*.
2. That the Clerk of the Court shall receive and file any necessary forms or pleadings  
incident to petitioner's action without requiring the payment of fees or costs.
3. That the sheriffs of the counties of the State of Arkansas shall serve writs or  
processes incident to petitioner's action without requiring the payment of fees or costs.

IT IS SO ORDERED.

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Date





Arkansas Judiciary

**Case Title:** ARTHUR CARSON V ROGER LACY ET AL  
**Case Number:** 60CV-18-5582  
**Type:** ORDER PROCEED IN FORMA PAUPER

So Ordered

A handwritten signature in cursive script, reading "Mackie Pierce".

Honorable Mackie Pierce

**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS  
SEVENTEENTH DIVISION**

**ARTHUR CARSON**

**PLAINTIFF**

**VS.**

**CASE NO. 60CV-18-5582**

**ROGER LACY, dba D & B JANITORIAL SERVICES;  
LAIDLAW & LACY, INC.; and  
CORPORATION-SERVICE CO.**

**DEFENDANTS**

**NOTICE OF FILING NOTICE OF REMOVAL**

PLEASE TAKE NOTICE that Defendants D&B Janitorial Services, Inc., erroneously sued as Roger Lacy d/b/a D & B Janitorial Services, and Laidlaw, Inc., erroneously sued as Laidlaw & Lacy, Inc., have filed a Notice of Removal of this action pursuant to 28 U.S.C. § 1331 in the United States District Court for the Eastern District of Arkansas, Little Rock Division, subject to their express reservation of rights to assert all defenses available to them under Rule 12 of the Federal and/or Arkansas Rules of Civil Procedure. Pursuant to 28 U.S.C. § 1446(d), "the State Court shall proceed no further unless and until the case is remanded." A copy of the Notice of Removal, to which the only remaining Defendant in this action has consented, is attached and filed herewith.

Respectfully submitted,

/s/ Abtin Mehdizadegan

Missy McJunkins Duke (#99167)

Abtin Mehdizadegan (#2013136)

**CROSS, GUNTER WITHERSPOON & GALCHUS, P.C.**

500 President Clinton Avenue, Suite 200

Little Rock, Arkansas 72201

Phone: 501-371-9999 / Fax: 501-371-0035

E-mail: mduke@cgwg.com / abtin@cgwg.com



**CERTIFICATE OF SERVICE**

I hereby certify that on this 19th day of September, 2018, I served a copy of the foregoing document upon the following in the manner specified below:

**PLAINTIFF**

Arthur Carson  
10434 W. 36th Street, Apt. 10-B  
Little Rock, AR 72204  
***Via Regular and Certified  
U.S. Mail***

**ATTORNEY FOR FIRST ADVANTAGE CO.**

Jason Spak  
FisherBroyles, LLP  
P.O. Box 5262  
Pittsburgh, PA 15206  
Jason.Spak@fisherbroyles.com  
***Via Email***

/s/ Abtin Mehdizadegan

Abtin Mehdizadegan

**IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF ARKANSAS**

**ARTHUR CARSON**

**PLAINTIFF,**

**vs.**

**CASE NO. \_\_\_\_\_**

**ROGER LACY, dba D & B JANITORIAL SERVICES; et al.**

**DEFENDANTS.**

**CONSENT TO REMOVAL**

Defendant First Advantage Background Services Corporation ("First Advantage") – incorrectly identified in Plaintiff's Complaint as "Corporation Service Co., dba, First Advantage Co." – hereby consents to the removal of the above-captioned action from the Circuit Court of Pulaski County, Arkansas (where it was docketed at Case No. 60CV-18-5582) to the United States District Court, Eastern District of Arkansas.

Date: September 19, 2018.

/s/ Jason A. Spak  
Jason A. Spak<sup>1</sup>  
FISHERBROYLES, LLP  
P.O. Box 5262  
Pittsburgh, PA 15206  
T: 412-230-8555  
E: [jason.spak@fisherbroyles.com](mailto:jason.spak@fisherbroyles.com)

*Counsel for First Advantage*

<sup>1</sup> I am outside counsel for First Advantage and have its consent and authorization to execute this document on its behalf. I am not currently admitted to practice in this Court. On September 10, 2018, I submitted an application for admission to practice in this Court, which I have been told is in process.



**IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF ARKANSAS**

**ARTHUR CARSON**

**PLAINTIFF,**

**vs.**

**CASE NO. \_\_\_\_\_**

**ROGER LACY, dba D & B JANITORIAL SERVICES; et al.**

**DEFENDANTS.**

**CONSENT TO REMOVAL**

Defendant First Advantage Background Services Corporation (“First Advantage”) – incorrectly identified in Plaintiff’s Complaint as “Corporation Service Co., dba, First Advantage Co.” – hereby consents to the removal of the above-captioned action from the Circuit Court of Pulaski County, Arkansas (where it was docketed at Case No. 60CV-18-5582) to the United States District Court, Eastern District of Arkansas.

Date: September 19, 2018.

/s/ Jason A. Spak  
Jason A. Spak<sup>1</sup>  
FISHERBROYLES, LLP  
P.O. Box 5262  
Pittsburgh, PA 15206  
T: 412-230-8555  
E: [jason.spak@fisherbroyles.com](mailto:jason.spak@fisherbroyles.com)

*Counsel for First Advantage*

---

<sup>1</sup> I am outside counsel for First Advantage and have its consent and authorization to execute this document on its behalf. I am not currently admitted to practice in this Court. On September 10, 2018, I submitted an application for admission to practice in this Court, which I have been told is in process.

